

1 **SPINELLI, DONALD & NOTT**
2 A Professional Corporation
3 DOMENIC D. SPINELLI, SBN: 131192
4 J. SCOTT DONALD, SBN: 158338
5 601 University Avenue, Suite 225
6 Sacramento, CA 95825
7 Telephone: (916) 448-7888
8 Facsimile: (916) 448-6888

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Attorneys for Defendants County of Siskiyou; Jeremiah LaRue and Jesus Fernandez, in their official capacities as members of the Siskiyou County Sheriff's Department and in their individual capacities; Brandon Criss, Ed Valenzuela, Michael N. Kobseff, Nancy Ogren, and Ray A. Haupt, in their official capacities as members of the Siskiyou County Board of Supervisors and in their individual capacities; Edward Kiernan, in his official capacity as County Counsel for Siskiyou County and in his individual capacity; and DOES 1-100.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

Dilevon Lo, Jerry Vang, Nathan Thao, Mao Thao, Pao Lee, Antonio Lee, Koua Lee, Nhia Thai Vang, Zeng Lee, Der Lee and Khue Cha

Plaintiffs,

vs.

County of Siskiyou; Jeremiah LaRue and Jesus Fernandez, in their official capacities as members of the Siskiyou County Sheriff's Department and in their individual capacities; and Brandon Criss, Ed Valenzuela, Michael N. Kobseff, Nancy Ogren, and Ray A. Haupt, in their official capacities as members of the Siskiyou County Board of Supervisors and in their individual capacities; Edward Kiernan, in his official capacity as County Counsel for Siskiyou County and in his individual capacity; and DOES 1-100,

Defendants.

Case No.: 2:21-cv-00999-KJM-DMC

**DEFENDANTS' AMENDED
OBJECTIONS TO THE AFFIDAVIT OF
KOUA LEE DATED JUNE 11, 2021
(CM/ECF NO. 9-8)**

Complaint Filed: June 4, 2021
First Amended Complaint Filed: July 15, 2021

Date: August 6, 2021
Time: 10:00 AM

**[FEES EXEMPT PURSUANT TO
GOVERNMENT CODE SECTION 6103]**

1 Defendants hereby submit their objections to the affidavit filed by Koua Lee in support of
2 Plaintiffs' original motion for TRO and preliminary injunction and the current motion for
3 preliminary injunction.

Material Objected To:	Grounds for Objection:	Ruling on Objection:
Affidavit of Koua Lee, June 11, 2021, ¶2 “Both my wife and I were born in Laos.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
¶3 “During the time of the Secret War, I was a college student. When the Pathet Lao took over the country, they were sending college students to re-education camps.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
¶4 “In 1976 I escaped Laos and for the next two years was in a refugee camp in Thailand. My wife and I met in the camp and were married in 1977.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
¶5 “In 1978 my wife and I immigrated to the United States and stayed in Hawaii. I worked for IBM in North Carolina for seven years as a Quality Inspector. I also owned a Chinese restaurant in Modesto, California with my wife. I am now disabled and retired.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
¶6 “My wife and I were dependent on the water trucks for our needs. Now we have to go to the creek in City Park in Mt. Shasta City two times a week to bring back 68 gallons from the creek.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
¶7 “We need this water for drinking, cooking, and for our animals. We have 20 chickens and 6 pheasants. We are not able to bathe.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
¶8 “I am disabled and have had heart surgery. My wife and I suffer great	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____

1	anxiety and depression from the trauma of the war.”		
2	¶9 “If we can’t get water, we will have to sell our property, but there are no buyers.”	Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
3	¶10 “Four years ago, we paid \$170 for a well permit but we never received the permit.”	Hearsay. (FRE 801) Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____
4	¶11 “My wife and I have encountered local residents in Siskiyou County who tell us that because we are Asian we must be growing marijuana and tell us ‘go back where you came from.’”	Hearsay. (FRE 801) Irrelevant. Prejudicial, confusing and misleading (FRE 403)	Sustained: _____ Overruled: _____

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13 Dated: July 29, 2021

SPINELLI, DONALD & NOTT

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15 By: /s/ J. Scott Donald

16 J. SCOTT DONALD
17 Attorneys for Defendants